

U.S.A. vs SUSANO Valtierres-Rubio No. 08mj1451

The Court finds excludable delay, under the section indicated by check (✓),  
 commenced on 5/9/08 and ended on 5/12/08; ( )  
 and ended on . ( )

- 3161(h)  
 \_\_\_ (1) (A) Exam or hrg for mental or physical incapacity  
 \_\_\_ (1) (B) NARA examination (28:2902)  
 \_\_\_ (1) (D) State or Federal trials or other charges pending  
 \_\_\_ (1) (E) Interlocutory appeals  
 \_\_\_ (1) (F) Pretrial motions (from flg to hrg or other prompt dispo)  
 \_\_\_ (1) (G) Transfers from other district (per FRCrP 20, 21 & 40)  
 \_\_\_ (1) (J) Proceedings under advisement not to exceed thirty days  
 \_\_\_ Misc proc: Parole or prob rev, deportation, extradition  
 \_\_\_ (1) (H) Transportation from another district or to/from examination  
 or hospitalization in ten days or less  
 \_\_\_ (1) (I) Consideration by Court of proposed plea agreement  
 \_\_\_ (2) Prosecution deferred by mutual agreement  
 ✓ (3) (A) (B) Unavailability of defendant ~~or essential witness~~ *in hosp*  
 \_\_\_ (4) Period of mental or physical incompetence of defendant to  
 stand trial  
 \_\_\_ (5) Period of NARA commitment or treatment  
 \_\_\_ (6) Superseding indictment and/or new charges  
 \_\_\_ (7) Defendant awaiting trial of co-defendant when no severance  
 has been granted  
 \_\_\_ (8) (A) (B) Continuances granted per (h) (8)-use "T" alone if more than  
 one of the reasons below are given in support of continuance  
 \_\_\_ (8) (B) (I) 1) Failure to grant a continuance in the proceeding  
 would result in a miscarriage of justice and  
 the ends of justice outweigh the best interest  
 of the public and the defendant in a speedy trial.  
 (Continuance - miscarriage of justice)  
 \_\_\_ 2) Failure to grant a continuance of the trial would result in  
 a miscarriage of justice as the defendant has tendered a  
 guilty plea to a magistrate judge and is awaiting a  
 determination as to whether the plea will be accepted.  
 (Continuance - tendered a guilty plea)  
 \_\_\_ (8) (B) (ii) 2) Case unusual or complex  
 \_\_\_ (8) (B) (iii) 3) Indictment following arrest cannot be filed in thirty (30) days  
 \_\_\_ (8) (B) (iv) 4) Continuance granted in order to obtain or substitute counsel,  
 or give reasonable time to prepare  
 (Continuance re counsel)  
 \_\_\_ 3161(I) Time up to withdrawal of guilty plea  
 \_\_\_ 3161(b) Grand jury indictment time extended thirty (30) more days

Date 5/9/08

[Signature]  
 Judge's Initials

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